

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2002-0117
WDID No. 1B85021RHUM

RECISION OF CLEANUP AND ABATEMENT ORDER NO. 89-146

FOR

CALIFORNIA DEPARTMENT OF TRANSPORTATION
US HIGHWAY 101, REDWOOD CREEK BYPASS PROJECT
HIGHWAY CONSTRUCTION

Humboldt County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The State of California, Department of Transportation (CalTrans) constructed the Redwood Park Bypass, which involved construction of approximately 12 miles of new freeway (Highway 101) to route traffic around Redwood National Park. The project alignment traverses portions of drainage for May Creek, Boyes Creek, and Brown Creek, which are tributary to Prairie Creek. It also crosses drainages tributary to Ah Pah Creek and McGarvey Creek, which are tributary to the Klamath River
2. On April 10, 1986, the Regional Water Board issued Waste Discharge Requirements (WDRs) Order No. 86-25 to CALTRANS for the highway construction portion of the bypass. The WDRs required the installation and maintenance of erosion control facilities during the entire wet weather period.
3. The project was inspected several times in October 1989 before the winter season. Erosion control measures were not in place per the WDRs and a three-inch rainstorm between October 20 and 23, 1989 generated enough erosion to adversely impact Boyes, Browns, and Prairie Creeks.
4. The Executive Officer issued Cleanup and Abatement Order No. 89-146 CALTRANS on November 3, 1989. Order No. 89-146 required CalTrans to cease all nonerosion control related work and develop and implement a cleanup plan with follow-up monitoring.
5. CalTrans complied with Cleanup and Abatement Order No. 89-146. The key action items implemented included aggressive and comprehensive erosion control installation and maintenance, construction of approximately 30 sediment dams, water quality monitoring, fish population monitoring, and an evaluation of the degree and persistence of sedimentation in Prairie Creek. The programs carried through the 1997-1998 winter season at which point they were deemed unnecessary. Levels of sediment in artificial redds were low enough in 1995 as to not be a factor limiting salmonid reproduction in Prairie Creek. Cleanup and Abatement Order No. 89-146 is no longer needed.

6. On December 18, 2002, CalTrans requested that Cleanup and Abatement Order No. 89-146 be rescinded. Further, that the rescission occur before the resident engineer for a major portion of the project, Gordon Johnson, retires.
7. The Regional Water Board action to rescind Cleanup and Abatement Order No. 89-146 is exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with Title 14, California Code of Regulations, Sections 15061(b)(3) and 15321.

THEREFORE, IT IS HEREBY ORDERED that Cleanup and Abatement Order No. 89-146 for the California Department of Transportation, US Highway 101, Redwood Creek Bypass Project Highway Construction is rescinded.

Ordered by _____
Susan A. Warner
Executive Officer

December 27, 2002